



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2501111

Applicant Name: Randall Spaan for Eric and Tammy Linden

Address of Proposal: 3222 24th Avenue West

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,512.1 sq. ft. and B) 5,000.2 sq. ft. Existing single family residence and detached garage to be removed.

The following approvals are required:

Short Subdivision - to subdivide one parcel into two parcels pursuant to Seattle Municipal Code (SMC) 23.24.

SEPA Threshold Determination pursuant to SMC 25.05.

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

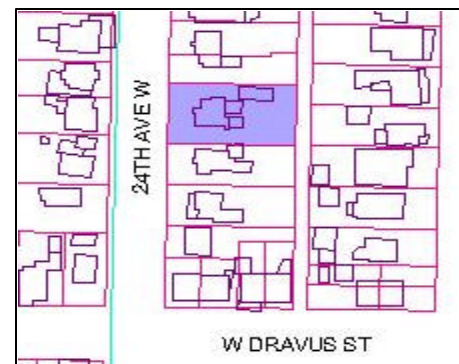
☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The 10,512.3 square foot site is located in a Single Family zone with a minimum lot size of 5,000 sq. ft. (SF 5000), in the Magnolia neighborhood. The parent parcel is located on the east side of 24th Avenue West, between West Bertona Street



and West Dravus Street. Twenty-Fourth Avenue is paved and there are sidewalks, concrete curbs and gutters on both sides of the street. There is an existing single family house and detached garage on the site which will be removed. Access to the site is from 24th Avenue West.

The subject parcel slopes from the northwest to the southeast along the site downward to a north-south concert alley abutting the east property line. The southeast corner of the property is within an identified designated Environmentally Critical Area (ECA) – Steep Slope. However, a limited ECA exemption was granted under project number 2400760.

The street abutting the property is classified as a non-arterial street, pursuant to SMC Chapter 23.53. Properties surrounding the site and the remainder of the immediate neighborhood are also zoned for single family residential uses; the minimum lot size varies. Development in the area consists of one and two-story single-family houses of varying age and architectural style.

Proposal

The proposal is to subdivide one parcel of land into two lots. Proposed lot sizes are as indicated in the summary above. The existing house and detached garage will be removed as a part of the sale and/or transfer of ownership of individual lots. Parcels A and B will have direct vehicular access to 24th Avenue West. Future development will be subject to the applicable provisions of the ECA regulations (SMC Ch. 25.09). No development or construction activities are associated with the subject proposal. The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended on May 18, 2005, DPD received no written comments.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned single-family residential. The allowable density of the subject property is one dwelling unit per lot. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setback is 5 feet. Minimum rear yard setback is 25 feet. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning district. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.
2. The proposed parcels have vehicular access to 24th Avenue West. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does require an easement to provide for electrical facilities and service to the proposed lots in addition to the easement identified on the proposed short plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and Water Availability Certificate No. 20050768 was issued on May 23, 2005. The existing house located upon the proposed Short Plat is connected by means of a single sidesewer to a 10-inch public combined sewer (PS) located in 24th Avenue West.

DRAINAGE: Stormwater detention, with controlled release to the PS in 24th Ave W, is likely to be required for construction in excess of 2000 sq. ft. of developmental coverage. Plan Review requirements will be required at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5000 sq. ft. new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.802.020, may be required.

4. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis. Thus the public uses and interests are served by permitting the proposed subdivision of land.

5. The proposed subdivision is located in an environmentally critical area (Potential Landslide Hazard Area), thus future construction is subject to the provisions of the Critical Areas Ordinance. As the subject lot is not located in riparian corridor buffer, wetland or wetland buffer, or a steep slope (over 40%), the specific provisions of SMC 25.09.240 do not apply to this proposal.
6. There are five coniferous and deciduous trees located on the parent parcel. Two of these trees may be preserved, depending upon the location of the root systems and the overall health of the trees. Future construction on the proposed parcels is subject to the provisions of SMC 23.44.008 which sets forth tree replacement/planting requirements on single family lots. Thus the proposal has been designed to maximize the retention of existing trees.
7. This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED.**

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 29, 2005. The information in the checklist, a Geotechnical Report prepared by Cornerstone Geotechnical, dated September 29, 2004, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and
2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including in additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant, reviewed the project plans and the additional information in the file, and any

comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).

CONDITIONS - SEPA

None.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots if required by Seattle City Light (aka Exhibit A) on the final Short Subdivision.

Signature: _____ (signature on file) Date: August 22, 2005
Colin R. Vasquez, Senior Land Use Planner